

MORRISON & FOERSTER LLP  
MICHAEL A. JACOBS (Bar No. 111664)  
mjacobs@mofo.com  
MARC DAVID PETERS (Bar No. 211725)  
mdpeters@mofo.com  
DANIEL P. MUINO (Bar No. 209624)  
dmuino@mofo.com  
755 Page Mill Road  
Palo Alto, CA 94304-1018  
Telephone: (650) 813-5600 / Facsimile: (650) 494-0792

BOIES, SCHILLER & FLEXNER LLP  
DAVID BOIES (Admitted *Pro Hac Vice*)  
dboies@bsfllp.com  
333 Main Street  
Armonk, NY 10504  
Telephone: (914) 749-8200 / Facsimile: (914) 749-8300  
STEVEN C. HOLTZMAN (Bar No. 144177)  
sholtzman@bsfllp.com  
1999 Harrison St., Suite 900  
Oakland, CA 94612  
Telephone: (510) 874-1000 / Facsimile: (510) 874-1460

ORACLE CORPORATION  
DORIAN DALEY (Bar No. 129049)  
dorian.daley@oracle.com  
DEBORAH K. MILLER (Bar No. 95527)  
deborah.miller@oracle.com  
MATTHEW M. SARBORARIA (Bar No. 211600)  
matthew.sarboraria@oracle.com  
500 Oracle Parkway  
Redwood City, CA 94065  
Telephone: (650) 506-5200 / Facsimile: (650) 506-7114

*Attorneys for Plaintiff*  
ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

Case No. CV 10-03561 WHA

**PLAINTIFF'S NOTICE OF  
DEPOSITION OF DEFENDANT  
GOOGLE INC. PURSUANT TO  
FED. R. CIV. P. 30(b)(6), TOPICS 4-9**

Dept.: Courtroom 9, 19th Floor  
Judge: Honorable William H. Alsup

1 TO DEFENDANT GOOGLE, INC., AND TO ITS ATTORNEYS OF RECORDS:

2 PLEASE TAKE NOTICE that, pursuant to Federal Rules of Civil Procedure 30(b)(6),  
 3 Plaintiff Oracle America, Inc. ("Oracle") will take the deposition of Defendant Google Inc.  
 4 ("Google") on Topics 4-9. The deposition may be recorded by stenographic means, audiotaped,  
 5 videotaped, and transcribed using real time interactive transcription such as LiveNote. The  
 6 deposition will commence on a mutually agreeable date(s) and time and continue from day to day  
 7 until completed. The deposition will take place at the offices of King & Spalding LLP, 333 Twin  
 8 Dolphin Drive, Suite 400, Redwood Shores, California 94065, or a mutually agreed upon  
 9 location.

### 10 INSTRUCTIONS

11 Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Google shall designate  
 12 one or more of its officers, directors, partners, managing agents, or other persons who consent to  
 13 testify on Google's behalf and who are the most knowledgeable with respect to the deposition  
 14 topics set forth below. At least seven calendar days in advance of the date of deposition, Google  
 15 is directed to provide to counsel for Oracle a written designation of the name(s) and position(s) of  
 16 the person(s) designated to testify on the following topic.

### 17 TOPICS

18 4. Any non-infringing alternatives to the Android technologies alleged to infringe the  
 19 patents-in-suit and copyrights-in-suit considered by or available to Google from the time Google  
 20 began to develop Android up to and including the release of version 2.2 ("Froyo").

21 5. Any changes Google has made or intends to make to Android in response to  
 22 Oracle's allegations in this lawsuit or in light of Oracle or Sun Microsystems' intellectual  
 23 property rights.

24 6. Android's security features, including their relation to java.security APIs  
 25 specification, documentation, and source code and Google's reasons for making java.security  
 26 APIs specification, documentation, and source code available to application developers and  
 27 Android device manufacturers.

1           7.       Modifications made by third parties to the allegedly-infringing portions of Android  
2 identified by Oracle's copyright and patent infringement contentions, including the author of, date  
3 of, and basis for each such modification.

4           8.       Google's business model and marketing strategy for Android.

5           9.       Google's agreements and communications with OEMs and carriers relating to  
6 Android, including but not limited to agreements and communications relating to modification of  
7 Android source code.

8  
9 Dated: June 21, 2011

MICHAEL A. JACOBS  
MARC DAVID PETERS  
DANIEL P. MUINO  
MORRISON & FOERSTER LLP

11  
12 By: /s/ Daniel P. Muino  
Daniel P. Muino

13 *Attorneys for Plaintiff*  
14 ORACLE AMERICA, INC.

**CERTIFICATE OF SERVICE**

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 755 Page Mill Road, Palo Alto, California 94304-1018. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on June 21, 2011, I served a copy of:

**PLAINTIFF'S NOTICE OF DEPOSITION OF DEFENDANT  
GOOGLE INC. PURSUANT TO FED. R. CIV. P. 30(b)(6),  
TOPICS 4-9**

**BY ELECTRONIC SERVICE [Fed. Rule Civ. Proc. rule 5(b)]** by electronically mailing a true and correct copy through Morrison & Foerster LLP's electronic mail system to the e-mail address(es) set forth below, or as stated on the attached service list per agreement in accordance with Federal Rules of Civil Procedure rule 5(b).

Robert F. Perry  
Scott T. Weingaertner  
Bruce W. Baber  
Mark H. Francis  
Christopher C. Carnaval  
KING & SPALDING LLP  
1185 Avenue of the Americas  
New York, NY 10036-4003

[RPerry@kslaw.com](mailto:RPerry@kslaw.com)  
[SWeingaertner@kslaw.com](mailto:SWeingaertner@kslaw.com)  
[bbaber@kslaw.com](mailto:bbaber@kslaw.com)  
[mfrancis@kslaw.com](mailto:mfrancis@kslaw.com)  
[ccarnaval@kslaw.com](mailto:ccarnaval@kslaw.com)

[Google-Oracle-Service-  
OutsideCounsel@kslaw.com](mailto:Google-Oracle-Service-OutsideCounsel@kslaw.com)

Fax: 212.556.2222

Donald F. Zimmer, Jr.  
Cheryl Z. Sabnis  
KING & SPALDING LLP  
101 Second Street, Suite 2300  
San Francisco, CA 94105

[fzimmer@kslaw.com](mailto:fzimmer@kslaw.com)  
[csabnis@kslaw.com](mailto:csabnis@kslaw.com)

Fax: 415.318.1300

Timothy T. Scott  
Geoffrey M. Ezgar  
Leo Spooner III  
KING & SPALDING, LLP  
333 Twin Dolphin Drive, Suite 400  
Redwood Shores, CA 94065

[TScott@kslaw.com](mailto:TScott@kslaw.com)  
[GEzgar@kslaw.com](mailto:GEzgar@kslaw.com)  
[LSpooner@kslaw.com](mailto:LSpooner@kslaw.com)

Fax: 650.590.1900

Steven Snyder  
KING & SPALDING LLP  
100 N. Tryon Street, Suite 3900  
Charlotte, NC 28202

[ssnyder@kslaw.com](mailto:ssnyder@kslaw.com)

Fax: 704.503.2622

Brian Banner  
King & Spalding LLP  
401 Congress Avenue  
Suite 3200  
Austin, TX 78701

[bbanner@kslaw.com](mailto:bbanner@kslaw.com)

Fax: 512.457.2100  
Ian C. Ballon  
Heather Meeker  
GREENBERG TRAURIG LLP  
1900 University Avenue, 5<sup>th</sup> Floor  
East Palo Alto, CA 94303

[ballon@gtlaw.com](mailto:ballon@gtlaw.com)  
[meekerh@gtlaw.com](mailto:meekerh@gtlaw.com)

Fax: 650.328.8508

Valerie W. Ho  
GREENBERG TRAURIG LLP  
2450 Colorado Avenue, Suite 400E  
Santa Monica, CA 90404

[hov@gtlaw.com](mailto:hov@gtlaw.com)

Fax: 310.586.7800

Renny F. Hwang  
GOOGLE INC.  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

[rennyhwang@google.com](mailto:rennyhwang@google.com)

Fax: 650.618.1806

Joseph R. Wetzel  
Dana K. Powers  
GREENBERG TRAURIG, LLP  
153 Townsend Street, 8th Floor  
San Francisco, CA 94107

[wetzelj@gtlaw.com](mailto:wetzelj@gtlaw.com)  
[powersdk@gtlaw.com](mailto:powersdk@gtlaw.com)

Fax: 415.707.2010

Robert A. Van Nest  
Christa M. Anderson  
Michael S. Kwun  
Daniel Purcell  
Eugene M. Paige  
Matthias A. Kamber  
KEKER & VAN NEST LLP  
710 Sansome Street  
San Francisco, CA 94111-1704  
[rvannest@kvn.com](mailto:rvannest@kvn.com)  
[canderson@kvn.com](mailto:canderson@kvn.com)  
[mkwun@kvn.com](mailto:mkwun@kvn.com)  
[dpurcell@kvn.com](mailto:dpurcell@kvn.com)  
[epaige@kvn.com](mailto:epaige@kvn.com)  
[mkamber@kvn.com](mailto:mkamber@kvn.com)

Fax: 415.397.7188

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed at Palo Alto, California, this 21st day of June, 2011.

Cynthia D. Fix  
(typed)

/s/ Cynthia D. Fix  
(signature)